IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

AND
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 18334 of 2004

Between:

M/s.Vishnu priya working Co., Repalle, Door No.10-14-83, Sistlavari Street, Repalle-522265, Guntur Dist. (A.P) A firm, rep.by its Managing partner, S.Pardha Saradhi, S/o.S.Gurundha Rao.

..... PETITIONER

AND

1 The Commercial Tax officer, Morrispet, Tenali, Guntur Dist. A.P.,
2 The Appellate Deputy Commissioner (C.T), Guntur, Guntur Dist. A.P.
3 The State of A.P rep.by its Secretary, Commercial Taxes Department,

Secretariat Buildings,Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly in the nature of Mandamus, directing the First Respondent to revise his assessment order for 2002-2003 APGST (G.I.No.11835/ 02-03(APGST) Dt.29-3-2004) by adopting the correct turnover of Rs.8,07,101/- as the turnover relating to second purchases of paddy and give consequent relief to the petitioner, or in the alternative direct the Second Respondent to admit the Appeal filed by the petitioner by condoning the delay and dispose the same on merits.

Counsel for the Petitioner: MR.D.RANGANATHA KUMAR
Counsel for the Respondent Nos.1 to 3: GP FOR COMMERCIAL TAX

The Court made the following

ORDER: (per the Hon'ble Sri Justice Bilal Nazki. J)

Learned counsel for the petitioner wants to withdraw the writ petition with liberty to the petitioner to file an application under Rule 50 of the A.P.G.S.T. Rules.

Accordingly the writ petition is dismissed as withdrawn with liberty to the petitioner to file an application under Rule 50 of the A.P.G.S.T. Rules. The authority concerned may consider the application on merits and pass appropriate orders. No order as to costs.

(BILAL NAZKI. J)

---------- (S. ANANDA REDDY. J)

Date: 26.10.2004

Ksld

To

1 The Commercial Tax officer, Morrispet, Tenali, Guntur Dist. A.P.,
2 The Appellate Deputy Commissioner (C.T), Guntur, Guntur Dist. A.P.
3 The State of A.P rep.by its Secretary, Commercial Taxes Department,

Secretariat Buildings, Hyderabad.

4. Two CCs to GP for Commercial Tax, High Court Buildings,

Hyderabad, (OUT)

5. Two CD copies.